Page 9, after line 15, insert the following:

(4) Prohibition against flavoring of marijuana products.—Section 907(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387g(a)) is amended by adding at the end the following new paragraph:

“(7) Prohibition against flavoring of marijuana products.—

“(A) Prohibition.—Beginning on the date of enactment of the Reversing the Youth Tobacco Epidemic Act of 2019, any liquid or other substance containing marijuana (including any derivative therefrom) shall be treated as a tobacco product in violation of paragraph (1) if the liquid or substance contains, as a constituent (including a vapor constituent) or additive, any artificial or natural flavor that is a characterizing flavor or any herb or spice.

“(B) Relation to other laws.—The prohibition in subparagraph (A) is in addition
to other Federal prohibitions and restrictions on the production, manufacture, distribution, sale, and possession of products containing marijuana, including such prohibitions and restrictions in the Controlled Substances Act (21 U.S.C. 801 et seq.).

“(C) DEFINITION.—In this paragraph, the term ‘marihuana’ has the meaning given to the term ‘marihuana’ in section 102 of the Controlled Substances Act (21 U.S.C. 802).”.

Page 9, line 16, strike “(4)” and insert “(5)”.

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